

REGULAR MEETING of the Town Council held Wednesday, March 27, 2013 at 7:07 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: None

1. At the request of Council President Nancy F. Binns, Tenderfoot Scout Andrew Lacouture led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held March 13, 2013 and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Wallace F. Lees, liaison to the Sewer Commission, informed the Town Council of an invitation to a Sewer Commission workshop scheduled for Tuesday, April 2, 2013 at 9:00 a.m. The agenda will relate to future planning.

Councilor David J. Place announced the availability of Ocean State Power scholarship applications.

Councilor Edward J. Blanchard announced a Relay for Life recruitment event scheduled for April 12, 2013.

Councilor David J. Place announced the Burrillville High School spring play scheduled for April 5, 6 and 7, 2013.

Councilor David J. Place announced the due date for Sewer bills.

Councilor John F. Pacheco III announced the Anne Rivet Walk for Hunger scheduled for Friday, March 29, 2013 to benefit the St. Patrick's Church food closet.

Councilor John F. Pacheco III announced that Burrillville author Todd McLeish would introduce his latest book, Narwhals: Arctic Whales in a Melting World at the Jesse M. Smith Memorial Library on April 9, 2013.

Councilor Edward J. Blanchard announced the Pascoag Fire District annual banquet scheduled for April 6, 2013.

5. Petitions: None

6. Special Business: None

7. Public Hearing:

13-064 Relative to obtaining citizens' requests and views on proposed Community Development Block Grant activities.

A. Comments/Input/Recommendations from the Administration (Town Manager, Town Solicitor, Town Planner)

Thomas J. Kravitz, Town Planner and Economic Development Coordinator, reviewed the five requests received for CDBG money and the Planning Board's recommendation for prioritization. The applications and prioritizations were discussed.

B. Public Input: None

C. VOTED to close the public hearing.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors

Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

D. Town Council Members Comments/Input/Deliberation

There was discussion of the importance of the water tank replacement at the Burrillville Housing Authority. It was noted that there was no CDBG funding received for Burrillville projects during 2012. The amount reserved for administration of the program was explained.

13-065 Action relative to funding requests, setting priorities and adoption of the proposed resolution relative to the CDBG application for 2013/14.

VOTED to reprioritize, moving the Housing Authority from number two to number one; and moving the Housing Rehabilitation from number one to number two.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

The table of priorities, as adopted, was:

Priority Project Title Amount requested

1 Burrillville Housing Authority Water Tank Replacement \$34,900

2 Burrillville Housing Rehabilitation Loan Program 50,000

**3 Pascoag Redevelopment District: Former Mobil Station Site
clean-up 20,000**

4 Community Housing Land Trust – Housing Programs 3,000

**5 Rhode Island Center for Law & Public Policy – Legal Services for
Seniors 1,500**

6 Administration 5,000

Total requests: \$114,400

VOTED to adopt the resolution as reprioritized as follows:

Burrillville Town Council

Resolution

Whereas, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and

Whereas, the Governor of the State of Rhode Island has authorized the Director of said department to disburse such funds; and

Whereas, it is in the interest of the citizens of the Town of Burrillville that application be made to undertake a local Community

Development Program.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Burrillville that the filing of this application for the amount of \$114,400 to implement the activities proposed herein hereby authorized and that Nancy F. Binns, Town Council President (Chief Executive Officer) is hereby authorized and directed to file this application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the representative of the Town of Burrillville in all matters relating to this application and any award which may be based upon this application.

Passed as Resolution of the Burrillville Town Council this 27th day of March 2013

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

E. VOTED to adjourn the public hearing.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Public Hearing

13-066 Relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 16.5-54, entitled Extended care board, the purpose of which is to eliminate the requirement that a least one member of the board be a licensed health care professional.

NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on March 25, 2013.

A. Comments/Input/Recommendations of the Ordinance Subcommittee

Council President Nancy F. Binns, Chair of the Ordinance Subcommittee, reported that the Subcommittee had reviewed the proposed ordinance and recommended passage.

B. Comments/Input/Recommendations by the Administration

Michael C. Wood, Town Manager and Timothy F. Kane, Town Solicitor, made no additional comment.

C. The hearing of all interested parties in regard to proposed amendments. Note: Persons who wish to address the Town Council shall state their names and addresses.

(1) Proponents: None

(2) Opponents: None

D. VOTED to close the public hearing.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

E. Town Council Members Comments/Input/Deliberation

Councilor David J. Place commented that the Screening Subcommittee had recommended and supported the amendments.

F. VOTED to adopt amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 16.5-54, entitled Extended care

board, by eliminating the requirement that a least one member of the board be a licensed health care professional, as follows:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 16.5 entitled Parks and Recreation, is hereby amended as follows:

Sec. 16.5-54. - Extended care board.

To assist the recreation director in establishing programs, policies and procedures concerning the operation of the extended care division, there is hereby established an extended care board (board). The extended care board shall consist of five members, all of whom shall be residents of the Town of Burrillville. At least one member shall be a licensed health care professional. The town council shall appoint a member of the council and a member of the school committee as ex-officio members. The members shall be appointed by the town council for three-year terms. Initial appointment shall be for terms of one, two and three years. Any member of the extended care board who fails to attend three consecutive meetings without being excused shall forfeit his/her office.

This ordinance shall be effective upon passage.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F.

Pacheco III, David J. Place and Stephen N. Rawson.

G. VOTED to adjourn the public hearing

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

8. Unfinished Business: None

9. New Business:

13-067 VOTED to open the correspondence from Major Lareto P. Guglietta regarding his request that the Town Council declare surplus a 2005 Ford Crown Victoria.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to declare surplus a 2005 Ford Crown Victoria (VIN#2FAFP71W05X149072).

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

13-068 VOTED to refer the application from Sharon Davies of Pascoag for appointment to the Recreation Commission to the Screening Subcommittee.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

13-069 Proposed amendment to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, Chapter 26-32 entitled, No parking schedule of streets as it relates to Sayles Avenue; first reading and scheduling of public hearing.

VOTED to schedule a public hearing at the call of the Chair.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion

were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

13-070 Correspondence from Council President Nancy F. Binns regarding the Ordinance Subcommittee's recommendation that the Town Council consider beginning a process to establish a ground-mounted solar photovoltaic installation ordinance.

MOTION to refer to the Ordinance Subcommittee.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.

Discussion: Councilor Kimberly Brissette Brown noted that the Ordinance Subcommittee had discussed the advisability of the Town Council considering an appropriate ordinance for solar energy. Their recommendation was that if the Town Council is interested in the concept, then the Planning Board should be asked for a recommendation.

Amended Motion was to refer to the Planning Board for study and recommendation.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the

motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Pending Legislation

13-071 Correspondence from Kathy Silvia, City Clerk of Newport, regarding the Newport City Council's request for support of their resolution requesting amendment to the Open Meetings Act.

MOTION to support.

Motion by Councilor Wallace F. Lees. There was no second.

VOTED to open.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Discussion: Councilor Kimberly Brissette Brown raised concerns about any boards or commissions being allowed to meet via video conferencing. The matter was discussed.

VOTED to receive and file.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

10. Town Clerk/Communication:

13-072 VOTED to receive and file with thanks the correspondence from Kevin Cleary, Chairman of the Burrillville Conservation Commission, regarding the 2013 Earth Day Poster Contest.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

11. VOTED that reports #1 – 25 be received, as follows:

- 1. Town Treasurer: Report of February 2013**
- 2. Burrillville Sewer Commission: Report of January 2013 and February 12, 2013 minutes**
- 3. Tax Collector: Report of February 2013**

- 4. Department of Public Works: Report of January 2013**
- 5. Chief of Police: No report**
- 6. Office of Building Official: Report February 2013**
- 7. Animal Control Officer: Report of February 2013**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of February 2013**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of March 2013**
- 12. Burrillville Housing Authority: Meeting of February 13, 2013**
- 13. Planning Board/Town Planner: Meeting of February 4, 2013**
- 14. Recreation Commission: Meeting of January 14, 2013**
- 15. Burrillville Conservation Commission: Meeting of January 8, 2013**
- 16. Ordinance Subcommittee: Meeting of February 14, 2013**
- 17. Redevelopment Agency: Meeting of January 22, 2013**
- 18. B-PAC: No report**
- 19. Personnel Board: No report**
- 20. Screening Subcommittee: No report**
- 21. Budget Board: No report**
- 22. Burrillville School Committee: No report**
- 23. Rubbish & Recycling Committee: No report**
- 24. Board of Canvassers: Meetings of October 4 & 11, 2012**
- 25. Juvenile Hearing Board: No report**

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F.

Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

12. Additional New Business:

13-073 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law §42-46-5(a)(2) for review and discussion of a matter of potential litigation related to TransCanada.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

There was a recess before Executive Session

The Council returned to open session at 8:25 P.M.

VOTED to seal the minutes of executive session, noting that one vote had been taken; and that the results may be revealed at a later date.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors

Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

13. VOTED to adjourn at 8:25 P.M.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk